

EXHIBIT B: SITE CONTROL

Applicants must have obtained sufficient site control to allow projects to move forward if they receive a reservation of funds. Generally, this should be for at least 180 days from the application deadline date (including extension options) with an option to extend the control for another 180 days. Acceptable evidence of site control includes deeds, contracts of sale, leases with purchase option or other forms acceptable to the Department.

ATTACHMENTS

☐ Evidence of Site Control

EXHIBIT C: UTILITY AVAILABILITY

Provide evidence that public water and sewer, electric, gas and telephone services are at project sites or will be available during the construction or rehabilitation period. Acceptable evidence of utility availability may include a letter from the development team's civil engineer, the utility company providing the service, a responsible local official, or, for existing buildings, copies of recent utility bills. If any of the utility services are not applicable for the project, provide a description indicating which service is not applicable and the reason.

ATTACHMENTS

- ☐ Evidence of Public Water
- ☐ Evidence of Public Sewer
- ☐ Evidence of Electric Service
- ☐ Evidence of Gas Service
- ☐ Evidence of Telephone Service
- ☐ Copy of Certificate of Occupancy [if Building(s) currently occupied]

EXHIBIT D: ZONING

Properties should be properly zoned for their intended use. A letter from the Zoning Commission and/or Board of Zoning Adjustment indicating that the project is properly zoned for its intended use should be included in this exhibit. If a zoning change, variance or exception is required, sponsors must provide documentation illustrating the planning and zoning process and identifying a contact person familiar with the project and responsible for the approval process. Sponsors must also provide a detailed schedule for obtaining the required approvals.

ATTACHMENTS

- ☐ Evidence of Zoning with Local Contact Information
- ☐ Description of Change, Variance or Exception
- ☐ Detailed Schedule for Obtaining Required Approvals

EXHIBIT E: GEOGRAPHIC TARGETING

If an applicant seeks points for geographic targeting under the terms of the Request for Proposals, the applicant must provide documentation showing that the project will be located in a strategic neighborhood investment area, Neighborhood Revitalization Strategy Areas, Enterprise Zone or Enterprise Community.

ATTACHMENTS

- ☐ Evidence of location in a strategic neighborhood investment area, Neighborhood Revitalization Strategic Area, Enterprise Zone or Enterprise Community.

EXHIBIT F: SITE MAP AND PICTURES

Include a site map clearly showing area amenities (such as schools, parks, shopping and public transportation); a narrative description of directions to the site; and color photographs of the site, any existing buildings, and the adjacent properties. Each picture should contain a description of the location of the photographed site relative to the subject site and a description of the surrounding property's use.

ATTACHMENTS

- ☐ Site Map
- ☐ Direction to Project Site
- ☐ Photographs of Project Site and Surroundings

EXHIBIT G: ENVIRONMENTAL ASSESSMENT

Each project must comply with applicable requirements of local and federal environmental laws and regulations. An initial due diligence evaluation of the site for environmental issues is required. This evaluation includes a review of foundation conditions, man-made hazards, storm water runoff, underground storage tanks, and potential for lead-based paint, radon gas, PCBs or asbestos in existing buildings.

You may use the attached Environmental Due Diligence Checklist for the preliminary evaluation of the site. If a U.S. Department of Housing and Urban Development environmental clearance has already been performed, you may submit it with the application instead of the Environmental Due Diligence Checklist.

ATTACHMENTS

- ☐ Environmental Due Diligence Checklist (form attached)

ENVIRONMENTAL DUE DILIGENCE CHECKLIST

Project: _____

Date: _____

Investigator: _____

Percentage of Living Units Reviewed: _____ %

Percentage of Site Actually Walked And Observed: _____ %

Environmental Risks	Observed	Possible	Not Observed
Asbestos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asbestos Containing Materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lead Paint	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Underground Storage Tanks, Lines and Vents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Above Ground Chemical Storage or Products	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visible Soil Discoloration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Buried Waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PCB Transformers or Light Ballast	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface Water Discharge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sensitive Adjacent Properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential Contaminated Adjacent Properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air Emissions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wetland Areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sanitary Sewer Failure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
On-lot Septic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Private Water Supply	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface Impoundment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Excessive Noise	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Foul Odors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
French Drain or Disposal Pit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Unsafe Material Management Practices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pipe Leaks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ENVIRONMENTAL DUE DILIGENCE CHECKLIST (Cont'd.)

Geologic Features		Observed	Not Observed
Streams		<input type="checkbox"/>	<input type="checkbox"/>
Ponds		<input type="checkbox"/>	<input type="checkbox"/>
Sink Holes		<input type="checkbox"/>	<input type="checkbox"/>
Rock Outcrops		<input type="checkbox"/>	<input type="checkbox"/>
Springs		<input type="checkbox"/>	<input type="checkbox"/>
Steep Slopes		<input type="checkbox"/>	<input type="checkbox"/>
Poor Drainage		<input type="checkbox"/>	<input type="checkbox"/>

EXHIBIT G-1: Lead-Based Paint

This Exhibit addresses two areas related to lead-based paint (LBP): Disclosure, and information requested below on LBP presence and testing. Requirements of the Disclosure Rule have been in effect since 1996 - <http://www.hud.gov/offices/lead/disclosure/index.cfm>. This requires that landlords and/or property managers disclose any known lead-based paint and lead-based paint hazards when renting a unit. A sample disclosure form is contained in Appendix B of the Lead-Safe Housing Addendum in the RFP Reference Guidebook. As part of disclosure, the tenants must be given a copy of the pamphlet "Protect Your Family from Lead in Your Home" - <http://www.hud.gov/offices/lead/>.

ATTACHMENTS

- ☐ Evidence of Disclosure (if the presence of lead is known to exist)
- ☐ Completed Requested information below

REQUESTED INFORMATION

1. How old is the property? _____
2. Is there a known presence of Lead-Based Paint (LBP)? Y/N____
3. If the presence of lead is known, has it been disclosed to the tenants if the property was occupied at the time the presence of lead was determined? Y/N____
4. If disclosure has taken place, provide evidence of disclosure.
5. How was the presence of LBP determined? _____

3. What documentation exists that identifies the presence of LBP (e.g., Phase 1 environmental, lead survey, lead inspection, etc.)? _____

4. Has a risk assessment been performed? Y/N____
If yes, please provide a copy with proposal.
5. Are LBP hazards present (peeling, chipped or cracked LBP)? Y/N____
6. Is the building occupied? Y/N____
7. Are there children under 6 residing at the property? Y/N____
8. Has there been previous testing of children residing at the property? Y/N

EXHIBIT H: OPERATING STATEMENTS

For existing and occupied projects, provide audited financial statements for the prior three fiscal years of project operations. If audited statements are not available, three fiscal years of un-audited financial statements and three corresponding years of certified federal income tax returns of the project should be submitted.

ATTACHMENTS

- ☐ Audited Financial Statements
- ☐ Un-Audited Financial Statements (only if audited financial statements are not available); or
- ☐ Certified Federal Income Tax Returns (only if audited financial statements not available)

- ☐ **Not Applicable.** No information is required for projects that do not exist or are not occupied at the time of application.

EXHIBIT I: RELOCATION AND ANTI-DISPLACEMENT STRATEGY

For existing and occupied buildings, the applicant must submit a draft of the Relocation and Anti-Displacement Strategy for projects that result in the temporary or permanent displacement of current occupants. The Relocation and Anti-Displacement Strategy (due with the Preliminary Application) provides the groundwork for the Relocation and Anti-Displacement Plan (due prior to Initial Closing). Instances where a Strategy and Plan are required include the following, regardless of funding source:

- Tenants will be required to move to facilitate rehabilitation of the building;
- Demolition of existing dwelling units or buildings which are occupied at the time of acquisition or site control; or
- Tenants will be displaced because the proposed rents are not affordable.

If the project will result in the relocation of any tenants (i.e. households or businesses), the Department requires that the applicant will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (42 U.S.C. 4601 also known as “URA”) and §104(d) of the Housing and Community Development Act of 1974 [42 U.S.C. §5304(d)] **if HOME or CDBG funds are used**, or the local relocation regulation found at Title 10, District Code of Municipal Regulations (DCMR) Chapter 22 **if HPTF is used**, regarding resident notice and compensation.

Applicants should make themselves familiar with the requirements of URA, §104(d) or 10 DCMR 22, as applicable, including notices from both the purchaser and seller to residents that may apply to their project:

- Tenant notices required before submitting an application for financing. A suggested form of General Information Notification for all current tenants in the project (whether temporarily relocated or not) is provided. This notification is required for all projects with the Final Application.
- Other notices following the General Information Notification.
- Seller notices required before executing a sales contract indicating that the sale is voluntary.

The relocation and anti-displacement strategy must outline the procedures the developer will implement to temporarily and/or permanently relocate tenants during the rehabilitation. The strategy should also estimate all costs and expenses that will be paid by the developer or reimbursed to tenants and the source of funds to cover these relocation costs. In addition, applicants should provide a copy of any notification letter sent to current residents, evidence of the manner the notice was delivered (for example, personally served or certified mail) and a list of current tenants, which includes their name, household size and income level (if available).

ATTACHMENTS

With Preliminary Application:

- ☐ Draft Relocation Strategy (see attached Guidelines) – with Preliminary application
- ☐ Relocation Budget – with Preliminary Application

After Preliminary Application:

- ☐ Tenant General Information Notification (form attached)
 - ☐ Seller Notification
 - ☐ Evidence of Delivery Method of Notifications
 - ☐ List of Current Residents
-
- ☐ **Not Applicable.** No information is required for projects that are not existing or not occupied at the time of application.

FORM OF TENANT NOTIFICATION

[Date]

[Name]
[Address]

Dear [Name]:

The [Name of Applicant] is interested in buying the building you live in at [Building Address]. The [Name of Applicant] plans to apply for a loan or grant to rehabilitate the building from the District of Columbia Department of Housing and Community Development.

If the loan or grant is provided and the building is rehabilitated, you will not be displaced. Therefore, we urge you not to move anywhere at this time. If you do choose to move, you will not receive any money to help you relocate.

If a loan or grant is provided, you will be able to rent your present apartment (or another suitable, decent, safe and sanitary apartment in the same building) when the rehabilitation is done. Of course, you must comply with standard lease terms and conditions. After the rehabilitation, your rent, including the estimated average monthly utility costs, will not be more than:

- Your current rent and average utility costs, or
- 30% of your average monthly gross household income.

If you must move temporarily so that the rehabilitation can be completed, the owner will find another apartment for you, and will pay for all reasonable extra expenses, including all moving costs and any increase in rent and utility costs.

Again, we urge you not to move. If the funding is approved, you can be sure that we will make every effort to accommodate your needs. If federal assistance would be involved, you would be protected by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

This letter is important and you should keep a copy of it. You will be contacted soon with more information. In the meantime, if you have any questions about our plans, please contact [Name of Representative], [Title of Representative], at [Telephone Number], [Address].

Sincerely,
[Signature]
[Name]
[Title]

GUIDELINES FOR DEVELOPING A RELOCATION AND ANTI-DISPLACEMENT STRATEGY

A relocation and anti-displacement strategy is required for projects that result in the temporary or permanent displacement of current occupants of the building. The strategy must outline the procedures the developer will implement to relocate tenants during the rehabilitation. The strategy should also identify all costs and expenses that will be paid by the developer or reimbursed to tenants and the source of funds to cover these relocation costs.

GENERAL INFORMATION

Provide information on the existing tenants in the project, the scope of relocation activities and interim rent increases.

1. Who will be responsible for the carrying out the relocation and anti-displacement strategy?

2. What are the household sizes, family composition (for example, individual, family, elderly) and income levels of the existing tenants?

3. How long are tenants likely to be temporarily displaced?

4. How many ineligible tenants are likely to be permanently displaced?

5. How will the amount of rent increases be determined from the period of application to loan closing (rent increases may not exceed 10% per year without the Department's approval)?

TENANT NOTIFICATION

When tenants will be permanently or temporarily relocated, discuss the procedures to notify tenants at various stages in the process.

6. What are the procedures that have or will be used to initially notify tenants of the proposed rehabilitation of the project (including the type of notifications and the timing)?

7. What procedures will be used to notify tenants of the proposed rent levels after the completion of the rehabilitation (including the type of notifications and the timing)?

8. What are the procedures that will be used to notify tenants of their options concerning permanent or temporary replacement housing and what assistance is available to them (including the type of notifications and the timing)?

9. What are the procedures for notifying tenants that they will be relocated either permanently or temporarily (notifications must be in writing and personally served or sent by certified mail within 90 days of relocation)?

10. What procedures will be in place to document notifications to tenants at all stages of processing and rehabilitation?

REPLACEMENT HOUSING OPTIONS

Address the procedures that will be used to relocate tenants that will be permanently displaced and the process for identifying options for tenants for reasonable replacement housing.

11. How will options for reasonable replacement housing be determined considering factors such as affordability, proximity to the project, desirability of the neighborhood and desirability of the units?

12. If acceptable replacement housing is not available, what is the amount of payment that will be provided to tenants to account for increased housing costs?

TEMPORARY HOUSING OPTIONS

Address the procedures that will be used to relocate tenants that will be temporarily displaced and the process for identifying options for tenants for reasonable temporary housing.

13. How will options for reasonable temporary housing be determined considering factors such as affordability, proximity to the project, desirability of the neighborhood and desirability of the units?

14. If acceptable temporary housing is not available, what is the amount of payment that will be provided to tenants to account for increased housing costs?

15. How will tenant moves to and from the project or between units within the project be coordinated?

FINANCIAL REIMBURSEMENT

Outline the costs that will be reimbursed to tenants that are displaced.

16. What procedures will be used to reimburse tenants for moving expenses to and from replacement and what is the maximum reimbursement per unit?

17. What procedures will be used to reimburse tenants for increased housing costs incurred during the temporary relocation?

COMMUNICATION AND ASSISTANCE

Describe the access tenants will have to project staff and other assistance that will be provided to ease the transition.

- 18.** When will tenants have the opportunity to meet personally with the resident manager to discuss questions and concerns about the relocation process?
- _____
- _____
- 19.** What advisory services or counseling will be provided to minimize the hardships in adjusting to required permanent or temporary relocation?
- _____
- _____
- 20.** If tenants feel that they have not received proper relocation payments or opportunities to relocate to acceptable replacement housing, what process will they have to appeal?
- _____
- _____
- _____

EXHIBIT J: CONTRACT AFFIDAVIT

Members of the development team must not be debarred, suspended or voluntarily excluded from participation in any federal or District program. Members of the development team are individuals or organizations, including officers and directors of corporate members of the team, general partners of partnership members, and members of limited liability company members, that are involved in the development of the project in any of the following roles:

- Applicant
- Developer
- Guarantor
- Owner (including any ownership interest other than limited partners)
- Architect
- General Contractor
- Management Agent
- Consultant

All members of the development team must certify on the required form that, among other things, they are not debarred from participation in any federal program nor have any unresolved default or noncompliance issues with the District of Columbia.

ATTACHMENTS

- ☐ Contract Affidavit (form attached)

FORM OF CONTRACT AFFIDAVIT

AUTHORIZED REPRESENTATIVE

I HEREBY AFFIRM THAT I am the [Title of Representative] and the duly authorized representative of [Name of Organization] and that I possess the legal authority to make this Affidavit on behalf of myself and the organization for which I am acting.

CERTIFICATION OF CORPORATION REGISTRATION AND TAX PAYMENT

I FURTHER AFFIRM THAT the organization named above is a [Domestic or Foreign] corporation duly registered in accordance with the laws of the District of Columbia and is in good standing. The name and address of its resident agent is:

[Name of Organization]
[Address of Organization]
[if not a corporation, state so]

I FURTHER AFFIRM THAT, except as validly contested, the organization has paid, or will have paid all income and withholding taxes due to the District of Columbia prior to execution of any funding agreement.

AFFIRMATION REGARDING BRIBERY CONVICTIONS

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I nor the above organization, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies has been convicted of, or has had probation before judgment imposed, or has pleaded nolo contendere to a charge of bribery, attempted bribery, or conspiracy to bribe in violation of any District of Columbia or federal law.

AFFIRMATION REGARDING OTHER CONVICTIONS

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I nor the above organization, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies has been convicted of a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract, fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property; or admitted in writing or under oath, during the course of an official investigation or other proceeding, acts or omissions that would constitute grounds for conviction or liability under any law or statute described above.

AFFIRMATION REGARDING DEBARMENT

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I nor the above organization, or any of its officers, directors, partners, or any of its employees directly involved in obtaining or performing contracts with public bodies, has ever been suspended or debarred (including being issued a limited denial of participation) by any public entity.

AFFIRMATION REGARDING DEBARMENT OF RELATED ENTITIES

I FURTHER AFFIRM THAT (a) the organization was not established and it does not operate in a manner designed to evade the application of or defeat the purpose of debarment; and (b) the organization is not a successor, assignee, subsidiary, or affiliate of a suspended or debarred organization.

SUBCONTRACT AFFIRMATION

I FURTHER AFFIRM, to the best of my knowledge, information, and belief, that neither I nor the above organization, has knowingly entered into a contract with a public body under which a person debarred or suspended will provide, directly or indirectly, supplies, services, architectural services, construction related services, leases of real property, or construction.

ACKNOWLEDGMENT

I ACKNOWLEDGE THAT this Affidavit is to be furnished to the District of Columbia Department of Housing and Community Development and may be distributed to units of (a) the District of Columbia government; (b) other states; and (c) the federal government. I further acknowledge that this Affidavit is subject to applicable laws of the United States and the District of Columbia, both criminal and civil, and that nothing in this Affidavit or any agreement resulting from the submission of this proposal shall be construed to supersede, amend, modify, or waive, on behalf of the District of Columbia, or any unit of the District of Columbia having jurisdiction, the exercise of any statutory right or remedy conferred by the Constitution and the laws of the District of Columbia with respect to any misrepresentation made or any violation of the obligations, terms and covenants undertaken by the above organization with respect to (a) this Affidavit, (b) the contract, and (c) other Affidavits comprising part of the contract.

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

WITNESS

[NAME OF ORGANIZATION]

[Signature of Witness]

[Signature of Representative]

[Name of Witness] (date)

[Name of Representative] (date)

[Title of Representative]

EXHIBIT K: DEVELOPER EXPERIENCE

Staff will evaluate the developer based on its record of accomplishment with projects that are similar to the proposed project. Information must be submitted for each of the following members of the development team: corporate general partners of the owner/mortgagor (including non-profits); individual general partners of the owner/mortgagor; and development consultants.

A Form 203—Developer’s Qualifications that addresses the experience and qualifications of the team member must be submitted along with the supporting information listed below. This should contain information on the members’ experience with other projects of similar type, scale and complexity and in a similar capacity..

- Resumes for each principal and affiliate of the development entity that will have responsibility for or involvement in the project
- Development Team Member Current Workload (form attached)
- Current financial statements of the development entity
- At least three business or professional references

ATTACHMENTS

- ☐ Form 203 — A. Developer’s Qualifications (form attached)
B. Development Team Member Current Workload
- ☐ Resumes
- ☐ Financial Statements
- ☐ References